

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

IRMA GARZA

Plaintiff,

Vs.

THE CITY OF EDINBURG, TEXAS
RICHARD MOLINA, DAVID TORRES,
JORGE SALINAS and GILBERT
ENRIQUEZ

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CIVIL ACTION NO. 7:18-CV-00267

PLAINTIFF IRMA GARZA'S SECOND CORRECTED/AMENDED MOTION TO
COMPEL DISCOVERY, REPLY TO DEFENDANTS' RESPONSE TO PLAINTIFF'S
CORRECTED MOTION TO COMPEL DISCOVERY AND FOR SANCTIONS

EXHIBIT D

Sonia Marroquin Deposition
(Excerpts)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

IRMA GARZA) (
Plaintiff) (
) (
VS.) (CIVIL ACTION NO.
) (7:18-cv-267
THE CITY OF EDINBURG,) (
TEXAS, RICHARD MOLINA,) (
DAVID TORRES, JORGE) (
SALINAS AND GILBERT) (
ENRIQUEZ) (
Defendants) (

ORAL AND VIDEOTAPED DEPOSITION OF
SONIA MARROQUIN
APRIL 24, 2019

ORAL AND VIDEOTAPED DEPOSITION OF SONIA MARROQUIN, produced as a witness at the instance of the PLAINTIFF, taken in the above styled and numbered cause on April 24, 2019, between the hours of 9:39 a.m. and 11:28 a.m., reported stenographically by JOHN W. FELLOWS, Certified Court Reporter No. 3335, in and for the State of Texas, at the offices of GUERRA, LEEDS, SABO & HERNANDEZ, PLLC, 10213 North 10th Street, McAllen, Texas, pursuant to the Federal Rules of Civil Procedure and any provisions stated on the record or attached therein.

BRYANT & STINGLEY, INC.
Harlingen (956) 428-0755 McAllen (956) 618-2366

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

IRMA GARZA) (
Plaintiff) (
) (
VS.) (CIVIL ACTION NO.
) (7:18-cv-267
THE CITY OF EDINBURG,) (
TEXAS, RICHARD MOLINA,) (
DAVID TORRES, JORGE) (
SALINAS AND GILBERT) (
ENRIQUEZ) (
Defendants) (

REPORTER'S CERTIFICATION
ORAL AND VIDEOTAPED DEPOSITION OF
SONIA MARROQUIN
APRIL 24, 2019

I, JOHN W. FELLOWS, Certified Court Reporter, certify that the witness, SONIA MARROQUIN, was duly sworn by me, and that the transcript is a true and correct record of the testimony given by the witness on April 24, 2019; that the deposition was reported by me in stenograph and was subsequently transcribed under my supervision;

Pursuant to Federal Rule 30(5)(e)(2), a review of the transcript was requested.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel, nor am I financially interested in the action.

WITNESS MY HAND on this the _____

John W. Fellows

JOHN W. FELLOWS, Texas CSR 3335
Expiration Date: 04-30-21
Bryant & Stingley, Inc., CRN No. 512
1305 East Nolana, Suite D
McAllen, Texas 78504
(956) 618-2366



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10:13 1 Q. Now, you said you heard rumors, correct?

10:13 2 A. Yes.

10:13 3 Q. Can you elaborate on -- on what rumors you
10:13 4 heard?

10:13 5 MR. AGUILAR: Objection, asked and
10:13 6 answered. Go ahead.

10:13 7 Q. Go ahead.

10:13 8 A. Basically, it was the same line, that people
10:13 9 were afraid to lose their jobs.

10:13 10 Q. Did you ever hear about a list of people that
10:13 11 were going to be terminated?

10:13 12 A. There was a mention of a list.

10:13 13 Q. Okay. Do you know if they referred to this
10:13 14 list as the purge list?

10:13 15 A. No. I don't know that.

10:13 16 Q. Okay. Do you know who it was alleged was on
10:13 17 that list?

10:13 18 A. Could you rephrase?

10:13 19 Q. Do you know who it was alleged was on that list
10:13 20 to be terminated?

10:13 21 A. Who was on the list?

10:13 22 Q. Yes, ma'am.

10:13 23 A. Of -- of possible termination?

10:13 24 Q. Yes, ma'am.

10:13 25 A. I heard myself. The public works director.

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10:14 1 Q. Who was that?

10:14 2 A. That was Mr. Longoria.

10:14 3 Q. What -- first name for Mr. Longoria?

10:14 4 A. Ponciano Longoria.

10:14 5 Q. Okay.

10:14 6 A. Mr. Ascension Alonzo.

10:14 7 Q. Okay. Who else?

10:14 8 A. Trying to think.

10:14 9 Q. What --

10:14 10 A. Those are the -- yeah. Those --

10:14 11 Q. What did Ascension Alonzo do for the city?

10:14 12 A. He's the finance director.

10:14 13 Q. Was Irma Garza on that list?

10:14 14 A. I think she was mentioned, yes.

10:14 15 Q. Now, after the election, were you approached or
10:15 16 did you discuss with Richard Hinojosa employees that
10:15 17 were going to either resign or that were target for
10:15 18 termination? Let me rephrase that.

10:15 19 A. Yes, please.

10:15 20 Q. After the election, let's focus the first 90 to
10:15 21 120 days, how many people resigned from the City of
10:15 22 Edinburg after the November 2017 election? I'm talking
10:15 23 only resignations.

10:15 24 A. After the election?

10:15 25 Q. Yes, ma'am.

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10:15 1 A. There was Mr. Leo Gonzalez, resigned.

10:16 2 Q. Okay. Who is Mr. Leo Gonzalez?

10:16 3 A. He's the IT -- previous IT director.

10:16 4 Q. And do you know why he resigned?

10:16 5 A. He got a job in the City of Weslaco.

10:16 6 Q. And did you have a discussion with Mr. Hinojosa
10:16 7 about his resignation?

10:16 8 A. No. He submitted the letter of resignation to
10:16 9 Mr. Hinojosa.

10:16 10 Q. Did you ever have discussion with Mr. Gonzalez
10:16 11 himself about his resignation?

10:16 12 A. He mentioned to me he was going to the City of
10:16 13 Weslaco, that he was looking at the opportunity.
10:16 14 Basically, that was the extent of the conversation.

10:16 15 Q. Who else resigned?

10:16 16 A. Mr. Longoria. Ponciano Longoria.

10:16 17 Q. Ponciano?

10:16 18 A. Yes.

10:16 19 Q. He was one of the ones that was on the list,
10:16 20 correct?

10:16 21 A. Who was rumored, yes.

10:17 22 Q. Who was -- correct. Rumored to be on the -- on
10:17 23 the list?

10:17 24 A. Correct.

10:17 25 Q. Did you have a discussion either with

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10:17 1 Mr. Longoria or Mr. Hinojosa about his resignation?

10:17 2 A. No. Mr. Hinojosa just mentioned to me that
10:17 3 Mr. Longoria had submitted his letter of resignation,
10:17 4 that he was going to go work at the City of Harlingen.

10:17 5 Q. So you didn't have an opportunity to talk to
10:17 6 Mr. Longoria?

10:17 7 A. No, I didn't.

10:17 8 Q. You don't know why he decided to submit his
10:17 9 resignation?

10:17 10 A. No.

10:17 11 Q. Who else?

10:17 12 A. Let's see. As far as directors that
10:17 13 have -- that are no longer there from after the
10:17 14 election to now?

10:17 15 Q. It -- could it be director, any other employee
10:17 16 with the City of Edinburg.

10:17 17 A. Well, Irma Garza is no longer with us.

10:17 18 Q. Now, did she resign?

10:17 19 A. No.

10:17 20 Q. She was terminated?

10:17 21 A. Yes.

10:17 22 Q. We'll get back to that in a minute. But who
10:17 23 else?

10:17 24 A. Mr. Joe Filoteo. He was the parks and rec
10:18 25 director. And --

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10:18 1 Q. Was -- I'm sorry. I apologize.

10:18 2 A. No.

10:18 3 Q. Was Mr. Filoteo rumored to be on the list for
10:18 4 possible termination?

10:18 5 A. I don't recall that.

10:18 6 Q. Okay. Did you speak to Mr. Hinojosa about
10:18 7 Mr. Filoteo's resignation?

10:18 8 A. Yes. And he was actually being disciplined for
10:18 9 job performance.

10:18 10 Q. What was the issue with Mr. Filoteo?

10:18 11 MR. AGUILAR: Hang on a second. I don't
10:18 12 know if she can get -- objection to the extent that
10:18 13 she's getting into personnel information about an
10:18 14 employee that is privileged and confidential to that
10:18 15 employee, which I don't know that she has the authority
10:18 16 to discuss.

10:18 17 MR. FLORES: Do we know that she is
10:18 18 prohibited from discussing that?

10:18 19 MR. AGUILAR: Yes. Because it's an
10:18 20 employee -- any -- any employee discipline issue having
10:18 21 to do with somebody else is not a party to this
10:19 22 lawsuit, they're entitled to that confidentiality. She
10:19 23 can't disclose that under the Open Meetings Act -- I'm
10:19 24 sorry, Open Records Act, the Freedom of Information Act
10:19 25 and number of other reasons.

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EXHIBIT E

Robyn Zayas Deposition
(Excerpts)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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IRMA GARZA) (
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DAVID TORRES, JORGE) (
SALINAS AND GILBERT) (
ENRIQUEZ) (
Defendants) (

ORAL AND VIDEOTAPED DEPOSITION OF
ROBIN ZAYAS
APRIL 23, 2019

ORAL AND VIDEOTAPED DEPOSITION OF ROBIN ZAYAS,
produced as a witness at the instance of the PLAINTIFF,
taken in the above styled and numbered cause on
April 23, 2019, between the hours of 1:42 p.m. and 2:57
p.m., reported stenographically by JOHN W. FELLOWS,
Certified Court Reporter No. 3335, in and for the State
of Texas, at the offices of FLORES & TORRES, LLP, 118
East Cano Street, Edinburg, Texas, pursuant to the
Federal Rules of Civil Procedure and any provisions
stated on the record or attached therein.

BRYANT & STINGLEY, INC.
Harlingen (956) 428-0755 McAllen (956) 618-2366

UNITED STATES DISTRICT COURT
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IRMA GARZA) (
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ENRIQUEZ) (
Defendants) (

REPORTER'S CERTIFICATION
ORAL AND VIDEOTAPED DEPOSITION OF
ROBIN ZAYAS
APRIL 23, 2019

I, JOHN W. FELLOWS, Certified Court Reporter, certify that the witness, ROBIN ZAYAS, was duly sworn by me, and that the transcript is a true and correct record of the testimony given by the witness on April 23, 2019; that the deposition was reported by me in stenograph and was subsequently transcribed under my supervision;

Pursuant to Federal Rule 30(5)(e)(2), a review of the transcript was requested.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel, nor am I financially interested in the action.

WITNESS MY HAND on this the _____ day of _____, 2019.

John W. Fellows
JOHN W. FELLOWS, Texas CSR 3335
Expiration Date: 04-30-21
Bryant & Stingley, Inc., CRN No. 512
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13:52 1 Q. Do you know Richard Molina?

13:52 2 A. Yes.

13:52 3 Q. Do you know David Torres?

13:52 4 A. Yes.

13:52 5 Q. Do you know George Salinas?

13:52 6 A. Not as well as I know David and Richard.

13:52 7 Q. Okay. What about Gilbert Enriquez?

13:53 8 A. A little bit, too; not very -- not very well.

13:53 9 Q. When did you first meet Richard Molina, current
13:53 10 mayor?

13:53 11 A. When -- we start when the Z Digital came to be
13:53 12 and started meeting with him and showing up at his
13:53 13 events and whatnot.

13:53 14 Q. And how is it that you two got -- came
13:53 15 together?

13:53 16 A. Cary suggested that I run his social media
13:53 17 platforms.

13:53 18 Q. So this would be -- do you know, more or less,
13:53 19 when this was?

13:53 20 A. Really don't.

13:53 21 Q. If the election was November --

13:53 22 A. It was -- yeah.

13:53 23 Q. If the --

13:53 24 A. That's when the election started, but we
13:53 25 campaigned prior -- sorry. Are you --

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13:53 1 Q. That's okay. That's okay. If the election was
13:53 2 November 4th --

13:53 3 A. Uh-huh.

13:53 4 Q. -- how long before that date was it that you
13:53 5 met him?

13:53 6 A. I don't know. Five, six months before that.

13:54 7 Q. Okay. And where were you -- where did y'all
13:54 8 meet?

13:54 9 A. Where were we? I want to say at one of those
13:54 10 little taco and coffee places.

13:54 11 MR. AGUILAR: That's narrowing it down.

13:54 12 A. No. Like at one of those, like, meet-and-greet
13:54 13 type deals.

13:54 14 MR. AGUILAR: Oh --

13:54 15 A. I don't know. I --

13:54 16 MR. AGUILAR: No. I was just joking,
13:54 17 because there's not a lot of coffee and taco places in
13:54 18 the Valley.

13:54 19 A. Yeah. I didn't think --

13:54 20 Q. It was a strange combination. I like it. I
13:54 21 like it.

13:54 22 A. -- important as it is, so I really didn't --

13:54 23 Q. No. I understand.

13:54 24 A. -- commit it to memory.

13:54 25 Q. Now, was this at a -- an event held for Richard

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13:54 1 Molina?

13:54 2 A. I don't think it was an event. I think it was
13:55 3 like a -- just a loosely kind of meeting.

13:55 4 Q. Was this a private meeting that was held, so
13:55 5 that you could meet him at a public place?

13:55 6 A. Socially, yeah. I wouldn't call it like a
13:55 7 private --

13:55 8 Q. It was at a public place?

13:55 9 A. Yeah.

13:55 10 Q. But it wasn't an event that was held there for
13:55 11 him?

13:55 12 A. No.

13:55 13 Q. Okay. Who was present at this meeting?

13:55 14 A. Me, Richard, his wife, and my sister.

13:55 15 Q. Okay. And what did y'all discuss?

13:55 16 A. We discussed how campaigns kind of work.

13:55 17 Q. Okay.

13:55 18 A. And how Facebook would be, like, the window for
13:55 19 the public to see what he's doing every day.

13:55 20 Q. Okay.

13:55 21 A. And follow him on his campaign trail without
13:55 22 actually -- you know, people that can't show up, didn't
13:55 23 show up, don't want to show up, they can still see what
13:55 24 he's talking about or what he's doing every day.

13:55 25 Q. And did you guys discuss what your role would

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